

# Union Calendar No. 717

115TH CONGRESS  
2D SESSION

# H. R. 1320

[Report No. 115-924]

To amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2017

Mr. KINZINGER (for himself and Mr. MICHAEL F. DOYLE of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 7, 2018

Additional sponsors: Mr. LATTA and Mr. GENE GREEN of Texas

SEPTEMBER 7, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on March 2, 2017]

# **A BILL**

To amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Nuclear Utilization of*  
5 *Keynote Energy Act”.*

6 **SEC. 2. NUCLEAR REGULATORY COMMISSION USER FEES**  
7 **AND ANNUAL CHARGES THROUGH FISCAL**  
8 **YEAR 2020.**

9 *(a) IN GENERAL.—Section 6101(c)(2)(A) of the Omni-*  
10 *bus Budget Reconciliation Act of 1990 (42 U.S.C.*  
11 *2214(c)(2)(A)) is amended—*

12 *(1) in clause (iii), by striking “and” at the end;*

13 *(2) in clause (iv), by striking the period at the*  
14 *end and inserting “; and”; and*

15 *(3) by adding at the end the following:*

16 *“(v) amounts appropriated to the*  
17 *Commission for the fiscal year for activities*  
18 *related to the development of a regulatory*  
19 *infrastructure for advanced nuclear reactor*  
20 *technologies.”.*

21 *(b) REPEAL.—Effective October 1, 2020, section 6101*  
22 *of the Omnibus Budget Reconciliation Act of 1990 (42*  
23 *U.S.C. 2214) is repealed.*

1 **SEC. 3. NUCLEAR REGULATORY COMMISSION USER FEES**  
2 **AND ANNUAL CHARGES FOR FISCAL YEAR**  
3 **2021 AND EACH FISCAL YEAR THEREAFTER.**

4 (a) *ANNUAL BUDGET JUSTIFICATION.*—

5 (1) *IN GENERAL.*—*In the annual budget jus-*  
6 *tification submitted by the Commission to Congress,*  
7 *the Commission shall expressly identify anticipated*  
8 *expenditures necessary for completion of the requested*  
9 *activities of the Commission anticipated to occur dur-*  
10 *ing the applicable fiscal year.*

11 (2) *RESTRICTION.*—*The Commission shall, to the*  
12 *maximum extent practicable, use any funds made*  
13 *available to the Commission for a fiscal year for the*  
14 *anticipated expenditures identified under paragraph*  
15 *(1) for the fiscal year.*

16 (3) *LIMITATION ON CORPORATE SUPPORT*  
17 *COSTS.*—*With respect to the annual budget justifica-*  
18 *tion submitted to Congress, corporate support costs, to*  
19 *the maximum extent practicable, shall not exceed the*  
20 *following percentages of the total budget authority of*  
21 *the Commission requested in the annual budget jus-*  
22 *tification:*

23 (A) *30 percent for each of fiscal years 2021*  
24 *and 2022.*

25 (B) *29 percent for each of fiscal years 2023*  
26 *and 2024.*

1                   (C) 28 percent for fiscal year 2025 and each  
2                   fiscal year thereafter.

3           (b) FEES AND CHARGES.—

4                   (1) ANNUAL ASSESSMENT.—

5                           (A) IN GENERAL.—Each fiscal year, the  
6                   Commission shall assess and collect fees and  
7                   charges in accordance with paragraphs (2) and  
8                   (3) in a manner that ensures that, to the max-  
9                   imum extent practicable, the amount assessed  
10                   and collected is equal to an amount that ap-  
11                   proximates—

12                                   (i) the total budget authority of the  
13                   Commission for that fiscal year; less

14                                   (ii) the budget authority of the Com-  
15                   mission for the activities described in sub-  
16                   paragraph (B).

17                           (B) EXCLUDED ACTIVITIES DESCRIBED.—

18                   The activities referred to in subparagraph (A)(ii)  
19                   are the following:

20                                   (i) Any fee-relief activity, as identified  
21                   by the Commission.

22                                   (ii) Amounts appropriated for the fis-  
23                   cal year to the Commission—

24   (I) from the Nuclear Waste Fund  
25                   established under section 302(c) of the

1                    *Nuclear Waste Policy Act of 1982 (42*  
2                    *U.S.C. 10222(c));*

3                    *(II) for implementation of section*  
4                    *3116 of the Ronald W. Reagan Na-*  
5                    *tional Defense Authorization Act for*  
6                    *Fiscal Year 2005 (50 U.S.C. 2601 note;*  
7                    *Public Law 108–375);*

8                    *(III) for the homeland security ac-*  
9                    *tivities of the Commission (other than*  
10                   *for the costs of fingerprinting and*  
11                   *background checks required under sec-*  
12                   *tion 149 of the Atomic Energy Act of*  
13                   *1954 (42 U.S.C. 2169) and the costs of*  
14                   *conducting security inspections);*

15                   *(IV) for the Inspector General*  
16                   *services of the Commission provided to*  
17                   *the Defense Nuclear Facilities Safety*  
18                   *Board;*

19                   *(V) for the partnership program*  
20                   *with institutions of higher education*  
21                   *established under section 244 of the*  
22                   *Atomic Energy Act of 1954 (42 U.S.C.*  
23                   *2015c); and*

24                   *(VI) for the scholarship and fel-*  
25                   *lowship programs under section 243 of*

1                    *the Atomic Energy Act of 1954 (42*  
2                    *U.S.C. 2015b).*

3                    *(iii) Costs for activities related to the*  
4                    *development of regulatory infrastructure for*  
5                    *advanced nuclear reactor technologies.*

6                    *(C) EXCEPTION.—The exclusion described*  
7                    *in subparagraph (B)(iii) shall cease to be effec-*  
8                    *tive on January 1, 2032.*

9                    *(D) REPORT.—Not later than December 31,*  
10                    *2030, the Commission shall submit to the Com-*  
11                    *mittee on Appropriations and the Committee on*  
12                    *Environment and Public Works of the Senate*  
13                    *and the Committee on Appropriations and the*  
14                    *Committee on Energy and Commerce of the*  
15                    *House of Representatives a report describing the*  
16                    *views of the Commission on the continued appro-*  
17                    *priateness and necessity of funding for the ac-*  
18                    *tivities described in subparagraph (B)(iii).*

19                    *(2) FEES FOR SERVICE OR THING OF VALUE.—*  
20                    *In accordance with section 9701 of title 31, United*  
21                    *States Code, the Commission shall assess and collect*  
22                    *fees from any person who receives a service or thing*  
23                    *of value from the Commission to cover the costs to the*  
24                    *Commission of providing the service or thing of value.*

25                    *(3) ANNUAL CHARGES.—*

1           (A) *IN GENERAL.*—Subject to subparagraph  
2           (B) and except as provided in subparagraph (D),  
3           the Commission may charge to any licensee or  
4           certificate holder of the Commission an annual  
5           charge in addition to the fees set forth in para-  
6           graph (2).

7           (B) *CAP ON ANNUAL CHARGES OF CERTAIN*  
8           *LICENSEES.*—

9           (i) *OPERATING REACTORS.*—The an-  
10          nual charge under subparagraph (A)  
11          charged to an operating reactor licensee, to  
12          the maximum extent practicable, shall not  
13          exceed the annual fee amount per operating  
14          reactor licensee established in the final rule  
15          of the Commission entitled “Revision of Fee  
16          Schedules; Fee Recovery for Fiscal Year  
17          2015” (80 Fed. Reg. 37432 (June 30,  
18          2015)), as may be adjusted annually by the  
19          Commission to reflect changes in the Con-  
20          sumer Price Index published by the Bureau  
21          of Labor Statistics of the Department of  
22          Labor.

23          (ii) *FUEL FACILITIES.*—

24                 (I) *IN GENERAL.*—The total an-  
25                 nual charges under subparagraph (A)

1           *charged to fuel facility licensees, to the*  
2           *maximum extent practicable, shall not*  
3           *exceed an amount that is equal to the*  
4           *total annual fees collected from the fuel*  
5           *facilities class under the final rule of*  
6           *the Commission entitled “Revision of*  
7           *Fee Schedules; Fee Recovery for Fiscal*  
8           *Year 2016” (81 Fed Reg. 41171 (June*  
9           *24, 2016)), which amount may be ad-*  
10          *justed annually by the Commission to*  
11          *reflect changes in the Consumer Price*  
12          *Index published by the Bureau of*  
13          *Labor Statistics of the Department of*  
14          *Labor.*

15                   (II) *EXCEPTION.—Subclause (I)*  
16                   *shall not apply if the number of li-*  
17                   *icensed facilities classified by the Com-*  
18                   *mission as fuel facilities exceeds seven.*

19                   (III) *CHANGES TO ANNUAL*  
20                   *CHARGES.—Any change in an annual*  
21                   *charge under subparagraph (A)*  
22                   *charged to a fuel facility licensee shall*  
23                   *be based on—*

1                   (aa) a change in the regu-  
2                   latory services provided with re-  
3                   spect to the fuel facility; or

4                   (bb) an adjustment described  
5                   in subclause (I).

6                   (iii) WAIVER.—The Commission may  
7                   waive, for a period of 1 year, the cap on  
8                   annual charges described in clause (i) or  
9                   (ii) if the Commission submits to the Com-  
10                  mittee on Appropriations and the Com-  
11                  mittee on Environment and Public Works of  
12                  the Senate and the Committee on Appro-  
13                  priations and the Committee on Energy  
14                  and Commerce of the House of Representa-  
15                  tives a written determination that the cap  
16                  on annual charges may compromise the  
17                  safety and security mission of the Commis-  
18                  sion.

19                  (C) AMOUNT PER LICENSEE.—

20                  (i) IN GENERAL.—The Commission  
21                  shall establish by rule a schedule of annual  
22                  charges fairly and equitably allocating the  
23                  aggregate amount of charges described in  
24                  clause (ii) among licensees and certificate  
25                  holders.

1           (ii) *AGGREGATE AMOUNT.*—For pur-  
2           poses of this subparagraph, the aggregate  
3           amount of charges for a fiscal year shall  
4           equal an amount that approximates—

5                   (I) *the amount to be collected*  
6                   *under paragraph (1)(A) for the fiscal*  
7                   *year; less*

8                   (II) *the amount of fees to be col-*  
9                   *lected under paragraph (2) for the fis-*  
10                   *cal year.*

11           (iii) *REQUIREMENT.*—The schedule of  
12           charges under clause (i)—

13                   (I) *to the maximum extent prac-*  
14                   *ticable, shall be reasonably related to*  
15                   *the cost of providing regulatory serv-*  
16                   *ices; and*

17                   (II) *may be based on the alloca-*  
18                   *tion of the resources of the Commission*  
19                   *among licensees or certificate holders*  
20                   *or classes of licensees or certificate*  
21                   *holders.*

22           (D) *EXEMPTION.*—Subparagraph (A) shall  
23           not apply to the holder of any license for a feder-  
24           ally owned research reactor used primarily for

1           *educational training and academic research pur-*  
2           *poses.*

3           *(c) PERFORMANCE AND REPORTING.—*

4           *(1) IN GENERAL.—The Commission shall develop*  
5           *for the requested activities of the Commission—*

6                     *(A) performance metrics; and*

7                     *(B) milestone schedules.*

8           *(2) DELAYS IN ISSUANCE OF FINAL SAFETY*  
9           *EVALUATION.—If the final safety evaluation for a re-*  
10           *quested activity of the Commission is not completed*  
11           *by the completion date required by the performance*  
12           *metrics or milestone schedule under paragraph (1),*  
13           *the Executive Director for Operations of the Commis-*  
14           *sion shall, not later than 30 days after such required*  
15           *completion date, inform the Commission of the delay.*

16           *(3) DELAYS IN ISSUANCE OF FINAL SAFETY*  
17           *EVALUATION EXCEEDING 180 DAYS.—If a final safety*  
18           *evaluation described in paragraph (2) is not com-*  
19           *pleted by the date that is 180 days after the comple-*  
20           *tion date required by the performance metrics or*  
21           *milestone schedule under paragraph (1), the Commis-*  
22           *sion shall submit to the Committee on Environment*  
23           *and Public Works of the Senate and the Committee on*  
24           *Energy and Commerce of the House of Representa-*  
25           *tives a timely report describing the delay, including*

1        *a detailed explanation accounting for the delay and*  
2        *a plan for timely completion of the final safety eval-*  
3        *uation.*

4        *(d) ACCURATE INVOICING.—With respect to invoices*  
5        *for fees charged under subsection (b)(2), the Commission*  
6        *shall—*

7            *(1) ensure appropriate review and approval*  
8            *prior to the issuance of invoices;*

9            *(2) develop and implement processes to audit in-*  
10          *voices to ensure accuracy, transparency, and fairness;*  
11          *and*

12          *(3) modify regulations to ensure fair and appro-*  
13          *priate processes to provide licensees and applicants*  
14          *an opportunity to efficiently dispute or otherwise seek*  
15          *review and correction of errors in invoices for such*  
16          *fees.*

17          *(e) REPORT.—Not later than September 30, 2022, the*  
18          *Commission shall submit to the Committee on Appropria-*  
19          *tions and the Committee on Environment and Public Works*  
20          *of the Senate and the Committee on Appropriations and*  
21          *the Committee on Energy and Commerce of the House of*  
22          *Representatives a report describing the implementation of*  
23          *this section, including any effects of such implementation*  
24          *and recommendations for improvement.*

25          *(f) DEFINITIONS.—In this section:*

1           (1) *ADVANCED NUCLEAR REACTOR*.—*The term*  
2           *“advanced nuclear reactor” means a nuclear fission*  
3           *or fusion reactor, including a prototype plant (as de-*  
4           *defined in sections 50.2 and 52.1 of title 10, Code of*  
5           *Federal Regulations), with significant improvements*  
6           *compared to commercial nuclear reactors under con-*  
7           *struction as of the date of enactment of this Act, in-*  
8           *cluding improvements such as—*

9                     (A) *additional inherent safety features;*

10                    (B) *significantly lower levelized cost of elec-*  
11                    *tricity;*

12                    (C) *lower waste yields;*

13                    (D) *greater fuel utilization;*

14                    (E) *enhanced reliability;*

15                    (F) *increased proliferation resistance;*

16                    (G) *increased thermal efficiency; or*

17                    (H) *ability to integrate into electric and*  
18                    *nonelectric applications.*

19           (2) *COMMISSION*.—*The term “Commission”*  
20           *means the Nuclear Regulatory Commission.*

21           (3) *CORPORATE SUPPORT COSTS*.—*The term*  
22           *“corporate support costs” means expenditures for ac-*  
23           *quisitions, administrative services, financial manage-*  
24           *ment, human resource management, information*

1        *management, information technology, policy support,*  
2        *outreach, and training.*

3            (4) *RESEARCH REACTOR.*—*The term “research*  
4        *reactor” means a nuclear reactor that—*

5            (A) *is licensed by the Commission under*  
6        *section 104 c. of the Atomic Energy Act of 1954*  
7        *(42 U.S.C. 2134(c)) for operation at a thermal*  
8        *power level of not more than 10 megawatts; and*

9            (B) *if so licensed for operation at a thermal*  
10       *power level of more than 1 megawatt, does not*  
11       *contain—*

12            (i) *a circulating loop through the core*  
13        *in which the licensee conducts fuel experi-*  
14        *ments;*

15            (ii) *a liquid fuel loading; or*

16            (iii) *an experimental facility in the*  
17        *core in excess of 16 square inches in cross-*  
18        *section.*

19            (5) *REQUESTED ACTIVITY OF THE COMMIS-*  
20        *SION.*—*The term “requested activity of the Commis-*  
21        *sion” means—*

22            (A) *the processing of applications for—*

23            (i) *design certifications or approvals;*

24            (ii) *licenses;*

25            (iii) *permits;*

- 1                   (iv) license amendments;
- 2                   (v) license renewals;
- 3                   (vi) certificates of compliance; and
- 4                   (vii) power uprates; and
- 5                   (B) any other activity requested by a li-
- 6                   censee or applicant.

7           (g) *EFFECTIVE DATE.*—This section takes effect on Oc-

8   tober 1, 2020.

9   **SEC. 4. STUDY ON ELIMINATION OF FOREIGN LICENSING**

10                                   **RESTRICTIONS.**

11           Not later than 18 months after the date of enactment

12   of this Act, the Comptroller General shall transmit to Con-

13   gress a report containing the results of a study on the feasi-

14   bility and implications of repealing restrictions under sec-

15   tions 103 d. and 104 d. of the Atomic Energy Act of 1954

16   (42 U.S.C. 2133(d); 2134(d)) on issuing licenses for certain

17   nuclear facilities to an alien or an entity owned, controlled,

18   or dominated by an alien, a foreign corporation, or a for-

19   eign government.

20   **SEC. 5. STUDY ON THE IMPACT OF THE ELIMINATION OF**

21                                   **MANDATORY HEARING FOR UNCONTESTED**

22                                   **LICENSING APPLICATIONS.**

23           Not later than 18 months after the date of enactment

24   of this Act, the Comptroller General shall transmit to Con-

25   gress a report containing the results of a study on the effects

1 *of eliminating the hearings required under section 189 a.*  
2 *of the Atomic Energy Act of 1954 (42 U.S.C. 2239(a)) for*  
3 *an application under section 103 or section 104 b. of such*  
4 *Act for a construction permit for a facility in the absence*  
5 *of a request of any person whose interest may be affected*  
6 *by the proceeding.*

7 **SEC. 6. INFORMAL HEARING PROCEDURES.**

8 *Section 189 a. of the Atomic Energy Act of 1954 (42*  
9 *U.S.C. 2239(a)) is amended by adding at the end the fol-*  
10 *lowing:*

11 *“(3) The Commission may use informal adjudicatory*  
12 *procedures for any hearing required under this section for*  
13 *which the Commission determines that adjudicatory proce-*  
14 *dures under section 554 of title 5, United States Code, are*  
15 *unnecessary.”.*

16 **SEC. 7. APPLICATION REVIEWS FOR NUCLEAR ENERGY**  
17 **PROJECTS.**

18 *Section 185 of the Atomic Energy Act of 1954 (42*  
19 *U.S.C. 2235) is amended by adding at the end the following:*

20 *“c. APPLICATION REVIEWS FOR NUCLEAR ENERGY*  
21 *PROJECTS.—*

22 *“(1) STREAMLINING LICENSE APPLICATION RE-*  
23 *VIEW.—With respect to an application that is dock-*  
24 *eted seeking issuance of a construction permit, oper-*  
25 *ating license, or combined construction permit and*

1        *operating license for a production or utilization facil-*  
2        *ity, the Commission shall include the following proce-*  
3        *dures:*

4                *“(A) Undertake an environmental review*  
5                *process and issue any draft environmental im-*  
6                *impact statement to the maximum extent prac-*  
7                *ticable within 24 months after the application is*  
8                *accepted for docketing.*

9                *“(B) Complete the technical review process*  
10               *and issue any safety evaluation report and any*  
11               *final environmental impact statement to the*  
12               *maximum extent practicable within 42 months*  
13               *after the application is accepted for docketing.*

14               *“(2) EARLY SITE PERMIT.—*

15               *“(A) SUPPLEMENTAL ENVIRONMENTAL IM-*  
16               *PACT STATEMENT.—In a proceeding for a com-*  
17               *bined construction permit and operating license*  
18               *for a site for which an early site permit has been*  
19               *issued, any environmental impact statement pre-*  
20               *pared by the Commission and cooperating agen-*  
21               *cies shall be prepared as a supplement to the en-*  
22               *vironmental impact statement prepared for the*  
23               *early site permit.*

1           “(B) *INCORPORATION BY REFERENCE.*—*The*  
2           *supplemental environmental impact statement*  
3           *shall—*

4                   “(i) *incorporate by reference the anal-*  
5                   *ysis, findings, and conclusions from the en-*  
6                   *vironmental impact statement prepared for*  
7                   *the early site permit; and*

8                   “(ii) *include additional discussion,*  
9                   *analyses, findings, and conclusions on mat-*  
10                   *ters resolved in the early site permit pro-*  
11                   *ceeding only to the extent necessary to ad-*  
12                   *dress information that is new and signifi-*  
13                   *cant in that the information would materi-*  
14                   *ally change the prior findings or conclu-*  
15                   *sions.*

16           “(3) *PRODUCTION OR UTILIZATION FACILITY LO-*  
17           *CATED AT AN EXISTING SITE.*—*In reviewing an ap-*  
18           *plication for an early site permit, construction per-*  
19           *mit, operating license, or combined construction per-*  
20           *mit and operating license for a production or utiliza-*  
21           *tion facility located at the site of a licensed produc-*  
22           *tion or utilization facility, the Commission shall, to*  
23           *the extent practicable, use information that was part*  
24           *of the licensing basis of the licensed production or uti-*  
25           *lization facility.*

1           “(4) *REGULATIONS.*—*The Commission shall ini-*  
2           *tiate a rulemaking, not later than 1 year after the*  
3           *date of enactment of the Nuclear Utilization of Key-*  
4           *note Energy Act, to amend the regulations of the*  
5           *Commission to implement this subsection.*

6           “(5) *ENVIRONMENTAL IMPACT STATEMENT DE-*  
7           *FINED.*—*In this subsection, the term ‘environmental*  
8           *impact statement’ means a detailed statement re-*  
9           *quired under section 102(C) of the National Environ-*  
10           *mental Policy Act of 1969 (42 U.S.C. 4332(C)).*

11           “(6) *RELATIONSHIP TO OTHER LAW.*—*Nothing*  
12           *in this subsection exempts the Commission from any*  
13           *requirement for full compliance with section*  
14           *102(2)(C) of the National Environmental Policy Act*  
15           *of 1969 (42 U.S.C. 4332(2)(C)).”.*

16 **SEC. 8. REPORT IDENTIFYING BEST PRACTICES FOR ESTAB-**  
17                           **LISHMENT AND OPERATION OF LOCAL COM-**  
18                           **MUNITY ADVISORY BOARDS.**

19           “(a) *BEST PRACTICES REPORT.*—*Not later than 18*  
20           *months after the date of enactment of this Act, the Nuclear*  
21           *Regulatory Commission shall submit to Congress, and make*  
22           *publicly available, a report identifying best practices with*  
23           *respect to the establishment and operation of a local com-*  
24           *munity advisory board to foster communication and infor-*  
25           *mation exchange between a licensee planning for and in-*

1 *involved in decommissioning activities and members of the*  
2 *community that decommissioning activities may affect, in-*  
3 *cluding lessons learned from any such board in existence*  
4 *before the date of enactment of this Act.*

5 (b) *CONTENTS.*—*The report described in subsection (a)*  
6 *shall include—*

7 (1) *a description of—*

8 (A) *the topics that could be brought before*  
9 *a local community advisory board;*

10 (B) *how such a board’s input could be used*  
11 *to inform the decision-making processes of stake-*  
12 *holders for various decommissioning activities;*

13 (C) *what interaction such a board could*  
14 *have with the Nuclear Regulatory Commission*  
15 *and other Federal regulatory bodies to support*  
16 *the board members’ overall understanding of the*  
17 *decommissioning process and promote dialogue*  
18 *between the affected stakeholders and the licensee*  
19 *involved in decommissioning activities; and*

20 (D) *how such a board could offer opportuni-*  
21 *ties for public engagement throughout all phases*  
22 *of the decommissioning process;*

23 (2) *a discussion of the composition of a local*  
24 *community advisory board; and*

1           (3) *best practices relating to the establishment*  
2           *and operation of a local community advisory board,*  
3           *including—*

4                   (A) *the time of establishment of such a*  
5           *board;*

6                   (B) *the frequency of meetings of such a*  
7           *board;*

8                   (C) *the selection of board members;*

9                   (D) *the term of board members;*

10                   (E) *the responsibility for logistics required*  
11           *to support such a board's meetings and other*  
12           *routine activities; and*

13                   (F) *any other best practices relating to such*  
14           *a local community advisory board that are iden-*  
15           *tified by the Commission.*

16           (c) *CONSULTATION.—In developing the report de-*  
17           *scribed in subsection (a), the Nuclear Regulatory Commis-*  
18           *sion shall consult with any host State, any community*  
19           *within the emergency planning zone of an applicable nu-*  
20           *clear facility, and any existing local community advisory*  
21           *board.*

22           **SEC. 9. REPORT ON STUDY RECOMMENDATIONS.**

23           *Not later than 90 days after the date of enactment of*  
24           *this Act, the Nuclear Regulatory Commission shall submit*  
25           *to Congress a report on the status of addressing and imple-*

1 *menting the recommendations contained in the memo-*  
2 *randum of the Executive Director of Operations of the Com-*  
3 *mission entitled “Tasking in Response to the Assessment of*  
4 *the Considerations Identified in a ‘Study of Reprisal and*  
5 *Chilling Effect for Raising Mission-Related Concerns and*  
6 *Differing Views at the Nuclear Regulatory Commission’”*  
7 *and dated June 19, 2018 (ADAMS Accession No.:*  
8 *ML18165A296).*

Union Calendar No. 717

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 1320**

[Report No. 115-924]

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**A BILL**

To amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes.

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SEPTEMBER 7, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed